IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE A.GOPAL REDDY

-

WRIT PETITION NO : 17955 of 2004

Between:

Kum P. Dheerita D/o P. Devender, R/o Nyanakal Road, Nizamabad, rep by her Mother Smt. P. Dhamaja

..... PETITIONER

AND

The Secretary, Board of Intermediate Education, Vidya Bhavan, Nampally, Hyderabad

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate Writ or order or direction more particularly one in nature of Writ of Mandamus declaring the action of the Respondent in not considering the case of the petitioner for revaluation of Answer sheet of Intermediate 2nd Year Chemistry subject paper written in March, 2004, vide Hall-Ticket No. 4358550 is illegal, arbitrary and against principles of natural justice and consequently direct the Respondent to re-valuate the answer sheet in Chemistry vide Hall Ticket No. 4358550 of the Petitioner

Counsel for the Petitioner: MR.P.GIRI KRISHNA

Counsel for the Respondent.: KUM.C.SINDHU KUMARI

The Court at the stage of admission made the following :

ORDER :

The Writ petition is filed by way of writ of mandamus seeking to declare the action of the respondent in not considering the case of the petitioner for revaluation of answer sheet of Intermediate 2nd year Chemistry subject paper written in March 2004 as illegal and arbitrary and consequently to direct the respondent to re-valuate the answer sheet vide hall ticket No. 4358550 of the petitioner.

Admittedly, if any candidate, who seeks revaluation of his answer scripts for the examination conducted in March 2004, has to apply to the Intermediate Board on or before 31st May 2004 as per the policy taken by the Intermediate Board for such revaluation. It is not in dispute that for a Xerox copy of answer sheet of the petitioner for Chemistry paper was applied on 10-5-2004 and it was received by the petitioner on 31.5.2004. In view of the same, the petitioner either could have been applied on 31-5-04 or on the next working day i.e., 4-6-2004 for such revaluation. The very fact that the petitioner has applied for revaluation on 02-9-2004 itself shows that she is not serious in seeking for revaluation.

The contention that the petitioner approached the Principal of the College, who assured her that he would take the permission from the authorities concerned, cannot be accepted for the reason that the petitioner has to apply to the Board of Intermediate for such revaluation if any.

In view of the same, no case is made out by the petitioner for ordering revaluation and the writ petition is liable to be dismissed.

The writ petition is dismissed. No costs.

_____

05-10-2004

Kvrk

To

1. The Secretary, Board of Intermediate Education, Vidya Bhavan, Nampally, Hyderabad

2. Two CD copies.